

10  
9

THE  
LAW OF MAINE

AND

THE LAW OF GOD.

ALSO

A REVIEW

OF

LOVEJOY'S LECTURE

ON

PROHIBITORY LAWS IN REGARD TO THE  
USE OF INTOXICATING DRINKS.

---

BY A MASSACHUSETTS CLERGYMAN.

---

PUBLISHED BY THE BOSTON YOUNG MEN'S TOTAL ABSTINENCE SOCIETY.

---

Second Edition.

---

BOSTON:  
PRESS OF J. B. CHISHOLM, 5 WATER STREET.  
1852.

HAMILTON HALL, MAY 17, 1852.

At a meeting of the Boston Young Men's Total Abstinence Society held this evening, it was

"VOTED, that the President be authorized to superintend the publication of the 'Essay on the Maine Law,' and the 'Review of Lovejoy's Lecture,' prepared for the Society, and to take the proper measures for the distribution of the same."

F. W. G. REDDING, *Sec'ry.*

## THE LAW OF MAINE AND THE LAW OF GOD.

---

THE all-absorbing theme of the age is the "Law of Maine." This sister State has more laws than one, but so engrossing is the one in question, that our meaning, when we speak of the Maine Law, is not mistaken on this or the other side of the Atlantic. All recognize, at once, the ANTI-LIQUOR LAW—that telling "club" of Hercules, levelling its ponderous blow at Alcohol, the modern "lion of Nemæa." It is the theme of discussion in all circles from senate-chamber to noisy bar-room. It touches the interests of politics, education, and religion. The trades "clap their hands." The arts rejoice. Commerce flaps her pinions. The professions cheer. Suffering humanity wipes her tears. Charity shouts, "Amen!" Printers catch the spirit. Newsmen spread the tidings. Lyceums debate upon it. Messengers run to bear it. Steamers lend their power to carry it. Telegraphs make it fly. Mails weary in telling of it. In short, it has aroused the whole land, in all the departments of rank and toil, to engage in hot discussion and decide upon the rise or fall of Rum.

This marked enthusiasm arises from a view of the *social* and *civil* blessings which this Law in its faithful application promises to bestow. Nor is the growing interest deeper and more wide-spread than these blessings warrant. They are enough to cause the land to ring with exclamations of joy and gladness. They are enough to



fill the heart of every patriot, philanthropist, and Christian with devout gratitude to God. They are enough to kindle eloquence on the lip of the orator, and inspire the poet with the spirit of poesy. They are enough to enlist the Press and the Pulpit in the war of extermination. They are enough to cheer the orphan's homeless lot, and cause the widow's heart to sing for joy. They furnish a theme grand enough for the tongue of a prophet, or the harp of an angel.

But there is another point of interest in the Maine Law. It is adapted to the times, and suited to meet the wants of suffering human nature and abused social ties, but it has a point of higher consideration to be contemplated. It is in harmony with the LAW OF GOD. The Bible sanctions it. Its leading principles were taught by Jesus Christ. The Divine Government stretches over it, as a shield, its glorious canopy. And this, above all things else, ought to *magnify the Law and make it honorable*. This affords the most cheering promise of success. *If God be for it, who can be against it?* It may battle long with a corrupt public sentiment and struggle hard for victory, but if it harmonize with the LAW OF GOD the signal triumph will be celebrated. What though "the heathen rage, and the people imagine a vain thing? The kings of the earth set themselves, and the rulers take counsel together, against the Lord, and against his Anointed, saying, Let us break their bands asunder, and cast their cords from us. *He that sitteth in the heavens shall laugh, the Lord shall have them in derision.*"

It is soul-inspiring in any enterprise to feel that God is on our side. It is withering to fortitude and energy to feel that He is against us. It nerves us for moral conflict to see the evidence that we stand upon His Immutable Law. We have confidence in the potency of civil government, and that confidence is greatly increased when its mandates are transcripts of the will of Jehovah. Then



we wax strong for effort, for self-denial, for accomplishment. "Union is strength," and if that union is with the living God, how great that strength!

The Christian, especially, should rejoice in the harmony of this Law with that of God. Public opinion is not *his* rule of action. He ought to obey it only so far as it is consistent with his *professed* guide and counsellor—the Bible. To this divine rule he must bring every question of right and wrong for final settlement. Civil laws, as well as his own actions, are tested here. If a law is plainly sustained by this sacred oracle of truth, this is sanction enough. Statesmen, legislators, and political demagogues may oppose it; but he is not to make *them* his standard of right. The "Law of the Lord" is his acknowledged directory, and to that he must go. The legal enactment which it sanctions may oppose the cherished interests of a multitude, and tend to arouse their intensest enmity. But having the sanction of the Scriptures, he is sooner to sustain it with hand and heart, *leaving the issues with God*, than he will advocate one which clearly conflicts with the teachings of Revelation. In a word, the consideration which is to weigh upon his mind above all others, in reference to every subject, is, whether it be consistent with that Law whose "seat is the bosom of God," and whose "voice is the harmony of the world."

The coincidence of the Maine Law with the Law of God is a matter of deeper interest because it presents such a striking contrast with the previous legislation of the land upon this subject. Legislators have not made so wide departures from the Bible in the suppression of any evil, as they have in suppressing intemperance. Upon this important question we have had law after law on which God could not look with one benignant smile. We have had statutes by whose legal sanction the vilest men could dole out intoxicating drinks which legislators themselves acknowledge to be the cause of, at least, two-



thirds of all the pauperism and woe in the land. Thus, while statistics have proved, and men have believed, that alcohol is committing greater depredations upon our social system than any other evil known, our laws have *licensed*, for a paltry sum, the traffic in this same instrument of wide-spread disaster. We have had laws to prevent vice and crime, and these other laws to produce them. Legislatures have multiplied acts to punish crime, and then sanctioned the "trade in rum" to furnish criminals.

By law the drunkard has been compelled to purchase at one time enough intoxicating drinks, if any, to plunge him into beastly inebriety for two months. By law the petty rum-seller of the country village, doling out some ten or twenty glasses in a day, has been made to suffer in purse and in character, while the rich distiller, selling a thousand hogsheads in a week, has not been an offender in the sight of civil enactments. The former has been fined or incarcerated for the sale of a *barrel*, while the latter has been left to grow rich by the sale of his runs, and spread himself "like a green bay-tree" in its glory. The lesser sinner has been punished, while the greater one has escaped. The man of lesser guilt in the sight of God has been treated in civil courts as if he were the guiltier.

By law, *appetite* has been made to suffer severely, while *avarice*, a far more ignoble and baser development of heart, has lived unharmed. The poor, wretched victim of his cups has been dragged from his needy family to the House of Correction, while the unfeeling vender has luxuriated in the gains which he really snatched from the weeping wife and suffering babes. One drunkard after another has been legally disposed of, while the drunkard-maker has quickly filled the vacancies *according to law*.

In such legislation there is no approximation to the Law of God. Not one of these laws is consistent with a single principle of revealed truth. Their policy is temporizing, unjust, and paradoxical; and of course obnoxious



to every principle of the Gospel. They have proved ineffectual by failing to remove the *cause* of this social and moral corruption. They have sought to dam up, or dry up, the stream, while the fountain continued to feed it with incessant flow. They have provided for the dead and dying, while a perpetual fire has been kept up from the enemies' camp. They have sought to destroy the deadly upas-tree by cutting off its branches, instead of laying the axe to the root. In this, I repeat, there is none of the wisdom or justice of divine truth. On the other hand, the Law of Maine aims to remove the *cause* of this fearful ruin. Its thrust is at the *heart* of the gigantic evil. To eradicate the dreadful effects of alcohol, it destroys the alcohol itself. In the eloquent language of the late Professor Stuart, it steers "for the capitol itself, with all its magazines and materials of war": \* \* \* "It does not propose to destroy those who are misled and drawn to ruin, but to cripple and annihilate the power that misleads them." This is noble, benevolent and godlike.

Though such legislation as this forms a new epoch in the history of the Temperance Reformation in our land, it deserves to be noticed, that there are a few examples of a similar policy upon this subject, belonging to other ages and nations. Lycurgus, the distinguished Spartan legislator, in order to arrest the awful ravages of intemperance occasioned by an abuse of the fruits of the vine, ordered all the vines in the kingdom to be destroyed. Also Terbaldus, a Bulgarian prince, believing that drunkenness could be prevented only in one way, issued a command to extirpate the vine. Mahomet the Fourth, by a similar edict, "commanded all those who had any wine to send it out of the town." Fifty-five years ago, the Sultan Abdelrahman interdicted the use of intoxicating liquor, "*and those who made it had their heads shaved, and were publicly exposed to every possible degradation.*" Thir-



ty-three years ago the reigning monarch of Persia ordered "his officers to destroy all the wine they could discover in any part of the kingdom." The father of the present Sultan of Turkey was destroyed by his intemperate habits; his son, learning wisdom from the event, "on his accession to the throne, issued a proclamation against the use of wine, and caused one million of piastres' worth of wine to be thrown into the Bosphorus." \* Whatever may be thought of this policy, one fact will appear to the candid reader of history; and that is, the countries, in which these prohibitory laws were enforced, were never so free from the strife and woes of intemperance as when these statutes were faithfully executed. Whether belonging to Pagan or Mahometan legislation, they accord with the policy of our common Christianity far better than most of the "Liquor Laws" of New England.

We come, then, to designate some of the points of agreement between the LAW OF MAINE and the LAW OF GOD.

This Law puts RESPONSIBILITY where God puts it. Man is responsible not only for *what he is*, but for *what he might be*; not only for *what he is doing*, but for *what he might do*; not only for *what he does know*, but for *what he might know*. This is clearly taught by St. Paul in his Epistle to the Romans. He declares that the heathen are guilty for their gross idolatry because they *might have learned better* from the light of nature.† The Scriptures put man under obligation for all his powers, physical, intellectual, and moral; for all his possessions, wealth, influence, knowledge; for all his intentions, volitions, and emotions. In short, his whole nature is under perpetual obligation. Upon this important truth are based the warnings, threatenings, expostulations, promises, and solemn injunctions of the Bible. They recognize that

\* These facts are given upon the authority of Grindrod.

† Romans i. 20.



man is responsible to God in every part of his nature, from the use he makes of the brightest talent to the employment of the weakest muscle.

From this great responsibility public opinion has, in a measure, exempted the rumseller; I mean public opinion as embodied in human laws. He has not been considered responsible for the use he makes of all his powers and possessions, nor for the character of his intentions. In his odious traffic he has enjoyed peculiar immunities. If he had traded in drugs, he would have been responsible for the consequences of disposing of poison even through *mistake*. If he had kept a stall, he would have been arraigned for the sale of one pound of tainted meat. If he had owned an unruly ox which destroyed his neighbors' crops, his own purse would have been taxed for damages. If he had sold a bushel of grain, knowing it contained a poisonous seed, and the effects were the death of a single horse, the officers of justice would have speedily closed his doors. But in this traffic, which fills the land with crime, lamentation and woe, he has not been thus responsible for his acts. He could coin money out of the bleeding hearts of wives and children to fill his coffers, and be amenable to no earthly tribunal.

But the Law of Maine, like the Law of God, makes the rumseller responsible here as elsewhere. It says to him, "You are not at liberty to employ your hands or possessions just as you please. There is a law of rectitude which you are to observe in the sale of strong drinks as really as in the sale of arsenic. You *are* responsible for the consequences of your acts upon society and the world. You cannot plead *ignorance* of the effect of your sinful business, for you are responsible for what you *might know*. You cannot plead the *support of a dependent family* in extenuation of your guilt, more plausibly than the counterfeiter, gambler or seller of tainted meats. You cannot be excused upon the ground that you indulge no wrong *intention*—do not mean to injure your fellow-men; for *you* know, as well as



lookers-on, that your *true intention* is "to get gain" by the traffic, regardless of the consequences however dark and terrible. You *do intend* to make a livelihood out of the vices of mankind. You *are determined* to support yourself and family in the face of facts, whether your wretched customers go down to the drunkard's grave or not. Unfeeling, ignoble man! Thou art more reckless of truth and duty than half the culprits at Sing Sing or Botany Bay! For gain thou wilt close thine eyes to sights of anguish and degradation, and be content to inflict deep wounds upon the body politic. For this vile *intention* thou art responsible.

"You cannot urge in self-defence, that you only sell what the buyer wishes—*it is a voluntary act on his part*; for you are not at liberty to furnish all men with what they desire. The suicide may ask for arsenic, laudanum, or a pistol, and is there no responsibility upon you? May you sell with impunity whatever men will purchase? Nay, you are fearfully responsible even for *gratifying* men. You can offer no excuse to palliate your offence. You are responsible, at least in a measure, for the consequences of your traffic. 'Wo unto the world because of offences! for it must needs be that offences come; *but wo to that man by whom the offence cometh*'! Look abroad, then, upon a suffering world! See countless families plunged in misery, such as tongue or pen cannot accurately portray! Count over the millions that sigh in widowhood and lonely orphanage! Rest your eye upon the mighty aggregate of paupers and criminals who go from the dram-shop to the almshouse and prison! And sum, if possible, the enormous taxes that your guilty trade imposes upon the world! And learn that in all this sorrow and moral desolation there is resting upon yourself a fearful share of *responsibility*. As you are responsible to God, so shall you be responsible henceforth at the bar of human tribunals!"

In this respect there is a harmony between the Law of Maine and the Law of God.



This Law, also, like that of God, denies the right of placing the TEMPTATION to drink before the WEAK. Its theory is, that a large class of intemperate persons will be unable to control their appetites if tempted to drink; *therefore*, every principle of humanity and benevolence constrains us to remove the temptation. One man shall not take the advantage of another's weakness to fill his coffers, or obtain a livelihood. If, in a mercantile transaction, he takes advantage of a person's ignorance to swell his profits, he is marked *dishonest*. But it is evidence of *greater* depravity to make this *weakness in vice* the occasion of profit.

The Scriptures are very definite in their teachings upon this subject. They deny not only the right to tempt others, but to tempt ourselves. No man is excusable in placing himself unnecessarily where he will be tempted *above what he is able to bear*. If his "hand" offend him, he is to cut it off.\* If his "eye" offend him, he is to pluck it out.† If his "foot" leads him into temptation, he must sever it from his body. That is, whatever will hazard his own temporal and eternal interests, it is his duty to avoid, unless providence presses him upon it when meeting his personal obligations. And, in respect to tempting others, he is not only to forsake *gross* irregularities in conduct and pursuit, but even to refrain from eating *meat* if it cause his brother to offend.‡ He is not in any way to tempt him to do that which will unfit him to discharge his duties to God and man, or ruin his soul. Obligation, in this particular, is so clearly and frequently taught in the Scriptures, that we need not dilate upon it. The Law of God says to the vender of intoxicating drinks, 'Cease to allure the unwary into the paths of vice. Cease to decorate shop and decanters to attract the young and tippling. Away with these embellished traps to catch the deluded, and this poison that is spiced to tickle the palate.' And thus speaks the Law of Maine.

\* Matt. xviii. 8.

† Matt. xviii. 9.

‡ Rom. xiv. 15 and 1 Cor. viii. 13.



This Law harmonizes with the Law of God in respect to the RIGHT OF PROPERTY. Strange as it may seem, the opinion has prevailed that the rumseller has the right to use his property as he pleases, whether he infringes upon a neighbor's rights or not. Hence, many legislators have assumed the ground that it is neither constitutional, nor right, to regulate or forbid the "liquor traffic." They have denied a man the right to use his property so as to injure society by way of furnishing saloons for gambling, or instituting lotteries, or procuring dies for counterfeiting. They have framed laws by whose sanction the prosecuting officer may close all such places of resort, and seize all such property as the implements of gambling and counterfeiting, even though thousands of dollars are thus invested. But property in spirituous liquors, whose injury to the social compact is greater in a single year, than that of counterfeiting and gambling in a century, has been a possession too sacred for legislative interference. That which cheats the purse of a man out of a dollar has been both chargeable and seizable by law, while that, which robs his soul of the purest virtues, and transforms the man into a demon, could not be legally touched. A citizen may not use his property as he pleases to manufacture dies for counterfeiting; but he *may* use it as he pleases to swell the wail of orphans, crush the tender heart of woman, blast the highest hopes of genius, throng the land with wretched victims of intemperance, and send THIRTY THOUSAND drunkards annually from our country alone down to a hopeless hell. Such has been a prevailing opinion in respect to the Right of Property—a sentiment as distant as possible from the doctrines of Revelation.

The lessons of divine truth upon this subject may be briefly expressed in the language of Wayland. "The right of property is the right to use something as I choose, provided I do not so use it as *to interfere with the rights of my neighbor.*"\* There is no distinction to be made in the

\* Moral Science, p. 213.



kinds of property. We have the same right to property in *rum* that we have to property in *dies* and *dice*, and no more. That right has no broader limits.

Mark, then, one of the ways by which the rumseller interferes with our rights. The pauper tax for intemperance in Massachusetts for the year 1850 was more than \$260,000. Every legal voter, though as honest, industrious, temperate, and useful as he could be, was taxed to meet that expense, while the rumsellers exulted over their profits in the trade of *pauper-making*. We have the same right to use our property as we choose, within certain limits, as the rumseller has. But in 1850, (as well as every other year) we did not enjoy this right, because the liquor traffickers created a tax which we were obliged to pay—thus compelling us to devote our gains to an object which enriched them, and made us poorer.

A. is a convicted and condemned criminal. By a long course of intemperance he drank up his property at the dramshop of B. Want and his raging appetite pressed him to gambling, forgery, and finally to midnight robbery. It cost the State \$20,000 to convict him. You and I are taxed to convict the criminal which B. made by his traffic. Here is a palpable infringement of our rights, because he used his property so as to interfere with our choice in the use of our own. The Law of God totally forbids any such use of one's possessions, as oppressive, unjust, and wicked. The spirit of the Decalogue condemns it. The Golden Rule declares it to be wrongful. The Sermon on the Mount repudiates it. And the general tenor of the Savior's precepts disfavours it entirely.

Here, divine truth and the Law in question are in coincidence. The Maine Law denies that man has a right to use property as he pleases, unrestricted, in whatever it may be invested. It declares that the rumseller's property in "liquid death" may be seized as rightfully as that of the gambler, or counterfeiter, and therefore it provides for



seizing the articles which he uses to wound society, and curse the world.

The Maine Law seeks to eradicate intemperance by DESTROYING THE POISONOUS ARTICLE ITSELF. It does, indeed, provide for the manufacture of the same for mechanical and medicinal purposes, just as laws provide for the proper use of arsenic or henbane. Though the druggist finds legal restrictions upon the sale of arsenic and laudanum, he is not forbidden to sell it, as a curative, with other medicines. And while the Maine Law seizes the countless punchcons which multiply, instead of diminish diseases, it admits the article to a place with other medicines on the shelf of the apothecary. So far as alcohol is useful in the mechanical arts, or as a drug, its use is carefully provided for, the restrictions being applied only where it begins to prove an injury. The Law does not, it is true, allow every unprincipled money-maker, who would not scruple to ruin a man in soul, body, and family, for a sixpence, to sell it for the objects specified: it provides that honest, virtuous citizens, who care for the welfare of their townsmen, and the prosperity of the land, shall be duly commissioned to sell it for these useful purposes. Wise and prudential Statute! He, who is deeply concerned for the purity and perpetuity of the Commonwealth, surely cannot object to this! The doctrine of this Law, then, will be seen to be this, THE SALE OF ALCOHOL FOR USEFUL PURPOSES, BEYOND THAT ITS DESTRUCTION!

We believe this to be the sentiment of our common Christianity. Although we may not point to definite passages of the Scriptures which discourse upon this topic, yet none would dare deny that the general teachings and spirit of the Gospel are such. If an article of food or drink will prove a blessing to body or soul, so far will God smile upon its use. But so far as it deranges the healthful functions of the body or mind, and blunts the moral sensibilities, he would bestow his approbation upon



its immediate *destruction*. The general principles and precepts of the Bible do not admit of another construction. The revealed character of God declares that such must be his will. So that, here again, we say, the Law of Maine and the Law of God harmonize.

From what has been said, it appears that this Temperance Legislation of our sister State contains the spirit of the two great laws of Revealed Religion, called by moral philosophers the LAW OF RECIPROCITY, and the LAW OF BENEVOLENCE. The first is the law which prevents our interference with those means of happiness which *belong to our neighbor*, from the fact that they are the gift of God\*; and which finds its divine sanction in the Savior's words, "All things whatsoever ye would that men should do unto you, do ye even so unto them; for this is the law and the prophets."† "Thou shalt love thy neighbor as thyself."‡ This is eminently the sentiment of the Maine Law, that no man is vested with the right to make infractions upon the happiness of his fellow men, by the sale of intoxicating drinks. His duties as an *individual* forbid it. And much more do his duties as a *member of society* forbid it. Hence, the second of the above-named laws, that of BENEVOLENCE, is here recognized. The duties of a citizen as a *member of society* not only demand that he shall do his fellow men no wrong, in any respect, but that he shall do them good.§ He is not to be even a *neutral* in these relations, for the object of the social organism would be defeated if citizens should act upon this principle. He virtually covenants with society in becoming a member of it, and also with God, its divine Author, to cherish its interests and promote its prosperity. God does not hold him guiltless if he violates the compact and pursues a trade, which, unrestrained, would issue in the overthrow of this sacred institution, and the advent of an-

\* Matthew v. 43-48.

† vii. 19.

‡ v. 43.

§ Wayland's Moral Science, p 369.



archy and ruin. No! *As a member of society*, humanity, and much more religion, forbids it.

Such is the Law of God; and such is the Law of Maine so far as it reaches. Though it does not compel the citizen to do *society intended good*, yet it denies him the right to inflict a *wrong* upon it. It compels him to relinquish the traffic in intoxicating liquor, because it is obnoxious to the highest welfare of communities. He accumulates wealth at the expense of social happiness and public morals, *therefore*, he must desist and forsake the unlawful business. It is enough, then, to commend the harmony of which we speak, that the Maine Law contains the spirit of the LAW OF RECIPROCITY, and the LAW OF BENEVOLENCE.

The EFFECTS of this Law in its practical development for several months are such as a proper regard for the Law of God would produce. If it multiplied the forms of human strife and misery, if it swelled the wail of sorrow through the State, and filled with criminal offences the calendar of courts; yea, if its effects for good were not traceable upon the growing interests of the Commonwealth, we might reasonably doubt its coincidence with the Law of God. For Christianity, allowed free course through the marts of trade, and circles of human intercourse, would purify, and transform, and elevate on every side. At the touch of its almost magic wand new forms of moral beauty would start to life, and the frightful spectres of vice flee before its celestial purity. The haunts of bacchanalian revelry would close their doors upon the slaves of appetite, and bid them escape the accursed bondage. Homes of penury and wretchedness would smile to behold the "horn of plenty," and to welcome the angel of peace. The dying embers of love at domestic altars would be fanned to a flame, and repenting prodigals would be seen returning to the sweets of family friendships. *Instead of the thorn would come up the fir-tree, and instead of the brier*



*would come up the myrtle-tree. The mountains and the hills would break forth into singing, and all the trees of the field would clap their hands.*

The effects of the Maine Law approximate as nearly to this as the achievements of known civil statutes can. From the Moosehead Lake to Casco Bay, from the St. Croix river to the Hampshire line, glad tidings of its success are borne upon every breeze. Besotted manhood rises from its degradation and lives anew. Vice yields up its "strong holds" of corruption, and disappears in unexpected and unexampled rapidity. Disgusting inebriation is banished from lane and street of cities to reform in families, or die in solitude. Crime is diminished from fifty to seventy-five per cent. in the largest and most immoral townships. Almshouses, and prisons, and institutions to reform the vicious, are comparatively empty. Abodes of misery have become the happy retreats of thrift and joy.\* Rended and scattered households have been reunited in the bonds of exultant love by the return of their wandering members from the paths of drunkenness. The once wretched, but now rejoicing wife sees her husband leave the door, at morning, and blesses God that no open drunkenery will arrest his safe return. The glad father looks hopefully upon his son, because he can walk the streets and perform his business, without a score of human hyenas prowling along his pathway. And the minister of Christ is inspired with new interest and zeal as he beholds men, just reclaimed from their cups, coming to fill the vacancies in the temple of God. And all because the fire of the last distillery in the State has ceased to blaze, and countless dramshops have closed their gates of wo. Surely upon this scene of delightful improvement the Most High will bestow his benediction! His beloved Zion will feel the influence of this legal wisdom, and gather new trophies for Christ,

\* See Letters of the Mayor and City Missionary of Portland, and of Gov. Hubbard.



the Conqueror ! A law which scatters such blessings abroad must harmonize with His.

Citizens ! This Law demands your support against the wildest foe of human rights and happiness. A class of men, whose love of money is stronger than their love of virtue, create three-fourths of all your taxes by their "trade of death," and enrich themselves by the business. You complain of the "onerous tax" for the support of public education ; and will you be content to pay *four times* as much to support the rum-sellers of Massachusetts ? Will you see *four hundred dollars wasted*, and worse than wasted, for strong drink, as often as *one hundred dollars* are expended upon education, and yet not move your tongue against it ? Are you willing to cancel the bills for erecting almshouses and prisons for venders of intoxicating drinks to fill at enormous profits to themselves ? Will you not remonstrate against this unjust taxation ? Or will you cheerfully liquidate the debts which they incur by their property-destroying traffic ? You are suffering wrong, in the invasion of your rights, for which there is found redress in the provisions of the Maine Law. Lend your influence to the support of that Law, give it the co-operation of your heart and hand, and your reward will be the blessing of an improved citizenship.

Philanthropist ! whose errand of mercy is to bear relief and consolation to the victims of want and misery ; you have here an instrument that will spare you many heart-rending scenes, and wipe more tears from sorrow's eye in a single month than your tireless efforts could in a year. You have wept and prayed at the pauper's bedside. You have lifted the debased from the mire of his degradation, and breathed saving counsel into his leaden ear. Your heart has ached as you have stood by the wasted form of suffering in some cheerless attic or cellar,—the heart-crushed mother, with children starving at her breadless board, and a babe pining at her withered breasts. Your



soul has been thrilled with horror as you have passed from cell to cell in the gloomy prison, and listened to the sad recital of depravity, that attaches to human hearts. Amid the wrecks of humanity, and the sighs of distress, and scenes of corruption, with which your life has been familiar, you have been constrained to cry, "O God! who is sufficient for these things? Where will this dreadful vice and suffering end? When will this wave of desolation cease to roll? O God, help, or sin will triumph." Hail, then, this statute to suppress intemperance, and three-fourths of these tears, groans and crimes are stricken from your sight. Then you may hope that the "saved and trembling," whom you have restored to their weeping families, will not be torn away again from the loving fellowship, to wallow in degradation worse than the first.

Parent! watching with deep solicitude the career of your youthful sons; see you not the stealthy tempter at the corners of the streets, and in the crowded marts of trade, and along the public thoroughfares, seeking youth and early manhood for its prey? In every path they tread are seen allurements to tippable wine when it sparkles in the cup. On every hand the decorated saloon and dramshop invite them to the toasting company. The probability of their yielding to the temptation to drink is very marked. In this regard you have just reason to be anxious. No form of vice is so much to be dreaded as this, for none is so successful in multiplying victims. Welcome, then, a Law which closes these alluring abodes of vice, and empties decanters and barrels into the street or dock. Execute this Law, and close the host of grogeries, and quench the fires of distilleries, and your sons may go forth to life's callings comparatively untempted. Your greatest fears may be allayed, and you may feel that youthful virtue has a guardian and protector in the State. It may save your sons from the drunkard's grave, and the drunkard's doom.



Christian ! waiting for the reign of millennial peace and purity ; how long must you wait if alcohol is allowed to fill the earth with strife and wickedness ? You have been wont to believe that the more nearly human agencies accord with the truth of God, the more certain may the Christian toiler be of final victory. Here, then, is a Law, accordant with the Law of God, and mighty to cope with this conqueror of earthly conquerors, that demands your aid. Were the bands of its provisions stretched across the land, from shore to shore, the flock of Christ would scarcely lose a wanderer by this wolfish foe. A richer harvest would whiten the fields of Christendom for the sickle of the Christian reaper, than ever yet has gladdened the eyes and expectant hearts of the faithful. Pray for the success of this timely curative that comes in the legislation of our sister State. Ask God to succor it amid the waves of opposition that toss, and defend it in the battle of hot debate. Have faith—more faith—strong faith—faith in the might of a favoring God. Falter not like a coward before the serried ranks of intemperance. Your lines may have fallen on “troublous times,” and the foe may be entrenched behind imposing barricades ; but “hope thou in God.” Dwell not on dangers. Count not the probabilities of failure. If God is on your side, look up, and take courage. “LOOK ALOFT !” cried a sea-faring father to his son as he hung trembling at the mast-head, looking down upon his danger, while the vessel was rocking and plunging in a furious storm ; “LOOK ALOFT, OR YOU ARE GONE !” A view of his danger from that dizzy height, by one downward look, might have swept him from his hold. Christian, “look aloft” ! However doubtful and unpromising the enterprise, “look aloft” ! “The Lord reigneth.” Pray.



# REVIEW OF LOVEJOY'S LECTURE

ON

## PROHIBITORY LAWS

IN REGARD TO THE USE OF

## INTOXICATING DRINKS.\*

---

1. THE text is wrested from its original meaning. "Moreover, the Law entered that the offence might abound." (Romans v. 20.) What Law? Mr. Lovejoy implies that it is *human* Law. The first line of his Lecture is, "This is the invariable influence of Law upon a corrupt mind. It makes the offence abound." The "common people," at least, would infer from the author's use of the text, that Paul was teaching that *human* Law multiplies offences, and therefore we ought to be very careful what laws we enact. It may be true that human laws exasperate men, but this has nothing to do with the text. The author knows that Commentators are not agreed whether Paul here refers to the "LAW OF MOSES," or a "LAW OF NATURE," or a "RULE OF LIFE." He knows that all *are* agreed it makes no reference to

\* This Review takes it for granted that the reader is familiar with the accompanying Essay on the Law of Maine and the Law of God.



*human* Law. Is it right, then, to mislead nine-tenths of a congregation by such a use of the text as plainly implies that Paul was setting forth the effects of *human* statutes? If the enemies of the Anti-liquor Law can feel that Paul gives them one inch of ground to stand upon, they will be sure to occupy it. They will feel stronger in their opposition, especially if a minister of the Gospel is on their side. Rumsellers will care very little whether a Scripture-text is interpreted correctly or not, if the minister of Christ will only affirm that it contains an argument for them.

2. The Lecture is a complete vindication of *moral suasion*, as the only successful agency in the extirpation of vice. Were it written by Theodore Parker or Wm. Lloyd Garrison, it could not have been a more thorough expression of their sentiments in regard to "coercive measures." The drift of the argument, briefly stated, is this:—Compulsion provokes men to offend; therefore "a prohibitory law upon this subject is just as impossible as it is to make a broom that will sweep all the stars out of the sky every night."\* The argument applies to other laws as really as to the one in question, and thus sweeps away all legislation as useless. We must not have the Maine Law, because it will inflame the passions of wicked men, and they will rise up against it. So we must not enact laws against forgery or theft, because vile men will be exasperated and trample upon them. True, the author's argument might be stated somewhat differently, as follows;—You cannot enact a law which will *entirely eradicate* intemperance, therefore cease to legislate upon this subject.—But what law does *entirely eradicate* the evils which it opposes? Our laws against stealing, counterfeiting, robbery, murder, and every other crime, do not entirely remove them. Shall we then abolish them? It is as impossible to frame a prohibitory law which *shall wholly* remove the crime of theft, as it is "to make a broom that will sweep all the

\* See Lecture, p. 6.



stars out of the sky every night ;" shall we, therefore, have no prohibitory law upon this subject?

Mr. Lovejoy supposes that the friends of the Law are expecting it will *entirely remove* intemperance. At least, his argument proceeds upon this assumption. But it is not so. They expect its faithful execution will greatly *diminish* the evils of intemperance, as it has already done in Maine. They do not expect our laws will completely root out the crimes before-mentioned, theft, robbery, &c., but they *do* expect these crimes will be less frequent than they would be without prohibitory laws. So they have good reason to expect that this anti-liquor law will greatly diminish the pauper tax, and dry up rivers of tears, and lessen the number of offenders in the land.

3. *Past legislation upon this subject has failed, therefore this will fail.* This is another argument of Mr. Lovejoy, stated concisely in our own language. He labors to show that the Temperance laws of the past have accomplished no good, hence we have no reason to expect the Maine Law will prove beneficial, as if this Law were exactly like former laws upon this subject, in its character. His great error lies in making no distinction between past laws and the modern Law of Maine. He groups them all together, and sweeps them away with one indiscriminate stroke. To employ his own language, he "groups every thing together under generic terms and defines nothing," \* \* \* "marks no boundaries, makes no limits." He even places the present law in the same category with the Fifteen Gallon Law of '38, and all the License Laws between 1836 and 1840. (See page 7 of the Lecture.) On the 13th page he says the passage of this Law is "*to re-enact the folly of 1838.*" But there is a wide difference between a License Law and the Law under consideration—just the difference there is between *vending* and *destroying* intoxicating liquors. The former *commissions* man to deal



out poison for gain, the latter tips his liquor into the street, and closes his bar. The former recently commissioned the landlord of the Tremont House, Boston, to vend strong drink, which raised such a row as even the police could hardly subdue. The latter would *empty* the house of its liquor, and thus remove the *cause* of such bacchanalian revels. There is, then, a reason for the *failure* of a License Law, because it commissions a man to *spread* drunkenness. There is, also, a reason for the *success* of the Maine Law in diminishing intemperance, because it does not suffer the existence of a dramshop. Hence the great error of the Lecture, in concluding that the present Law will fail because License Laws have accomplished no good. Though intemperance continues to roll its tide of death over the land when licensed dramshops are multiplied, it certainly does not follow that the same will be true when these dram-shops become extinct. Yet this is Mr. Lovejoy's argument. Our "*logic*" would lead us in a different direction. If dramshops, sustained by law, increase intemperance, then, we infer, that dramshops, *destroyed by law*, will diminish intemperance.

To show how strangely indiscriminate Mr. L. is in bundling all prohibitory laws together, we refer to his first illustration on page 5. That illustration is, that the act of *toleration* by Constantine, did not wholly satisfy the friends of the pure faith, so they became impatient, passed "*a prohibitory law*" against idolatry, and under its sanction *banished heretics, put idolaters to the sword*, "and the sword of the church, in the hand of the Roman emperor, drank blood," &c. The use Mr. L. makes of this illustration may be stated thus,—this "*first prohibitory law*" resulted in strife and bloodshed, therefore it will be the same with the Maine Law. But his illustration does not even approximate to a parallel case. That ancient Law of the year 313 was in conflict with every precept and principle of the Gospel, because it involved inhumanity



and cruelty in its provisions; for it sanctioned the exile of heretics, and the destruction of idolaters. The Maine Law, as we have showed in the Essay, is in harmony with the Law of God. It conflicts not with its justice, humanity, or charity. Is it just, to rank the Law of Maine with that unrighteous and cruel statute of the year 313? Because an *unrighteous* law produces evil, does it follow that a *righteous* one will produce the same? We have been wont to believe and teach, that the more nearly men accord in their efforts with the Divine Law, the more certain may they be of success. "If God be for us, who can be against us?" If the law referred to, in the days of Constantine, was condemned by every principle of the Christian religion, then, there was a good reason for its failure, and it ought to have failed. On the other hand, if the Law of Maine is sustained by the Law of God, then, there is a reason for its success, and it ought to be successful. Then it becomes a "*co-worker*" with the Divine Law. It "*works into*" the Divine Plan, and all the operations of the Divine Government help it on. Our past legislation upon this subject may have failed solely for the reason that it has attempted to *regulate* an evil which God says we must *destroy*. And surely, now that the Maine Law approximates so nearly to the Divine Will, we have great reason to anticipate success. Doubtless Mr. Lovejoy has faithfully preached this doctrine to his people in relation to the general cause of truth. So that his inconsistency, in comparing this with the cruel law against idolatry in 313, becomes still more glaring, unless he can show that the Maine Law equally conflicts with the Gospel.

Mr. Lovejoy's argument drawn from the *first prohibitory law*" of 313, is much like that of the genuine paddy, who, having laid a single feather upon a rock, and stretched his body upon it, remarked, "and fath, if one feather is so hard, I'll be baten if I'll have a bag-full." So Mr. Lovejoy says, if *one* prohibitory law, (far back in the annals of



time) is so unjust and cruel, then I will have *no* prohibitory laws while the world standeth ; I will reject the whole " bag-full."

4. Mr. Lovejoy says, " but *logic*, not *rhetoric*, is wanted upon the subject." Let us here review his *logic* before proceeding farther.

*Prohibitory laws have not eradicated intemperance, therefore, let us have no prohibitory laws.* Apply it. and we say, prohibitory laws have not eradicated *theft*, therefore, let us have no prohibitory laws in regard to it.

*Prohibitory laws exasperate wicked men ; the same will be true of this Liquor law ; therefore let us enact no prohibitory law.* So, if prohibitory laws provoke some wicked men, the same will be true of laws against *theft* and *forgery*, therefore let us enact no such laws.

*Past legislation on this subject has failed, therefore, all legislation in regard to it is useless.* France failed in her efforts after Republican institutions, therefore, she had better be content with despotism, and try no more. But we had hoped that past experience would prepare her to try again. Failures teach important lessons. Past failures are the seed of some of our wisest statutes. A " wreck upon a rock" tells the mariner where to steer. The author of the Maine Law studied the chart of past legislation many years, and he saw every rock on which temperance statutes had split, so that he was enabled to map out the only safe way. That legislation has failed in the past is the very reason why it should not fail in the future. " Experience is the best schoolmaster."

5. Turn to the *prophetical* part of the Lecture ; for it contains not only History, but Prophecy. The burden of its cry is of lamentation and mourning, and woe. " Woe unto us, for there has not been such a thing heretofore." " Woe, woe, woe unto the inhabitants of the earth." " And he cried, A lion." " There is a lion without, I shall be



slain in the streets." Surely this is the "*weeping Prophet*" of 1852. Hear him.

"*Five dollars or less will put a distillery in the house of every man who wants it.*" So away with your Maine Law. Yes! and with it abolish all "Acts concerning public gambling saloons and houses of ill-fame;" for men will have "*private*" saloons, at small expense; and "five dollars or less" will put a "*concealed*" bawdy-room "into the house of every man who wants it."

"*Will not those very persons who abuse the article make false pretences?*" If they will, then away with your Maine Law. Will not the suicide make *false* pretences to obtain arsenic, or laudanum? If he will, then away with our laws which regulate the sale of these poisons. Will not the swindler make *false* pretences to obtain goods? Then away with your laws that regulate the exchanges of trade.

If a man tells a falsehood to obtain intoxicating drinks, and gets it, "*what effect,*" says the author, "*will this operation have upon the mind, the passions, the appetites of this man who told the truth, and lost his dram by it?*" He has now, "*what he at least considers, an injustice to be avenged.*" So, away with your Maine Law. And away with your laws against obtaining goods by *false* pretences, for "*what effect will the operation have upon the mind, the passions, the appetites of this man who told the truth,*" and *did not get his goods?* He will have "*what he at least considers, an injustice to be avenged.*"

The above is a specimen of the prophecy of this Lecture, unfulfilled. And it will be inquired at once, how does Mr. Lovejoy dispose of the fact of the great benefits of the Law already witnessed in Maine? He disposes of it thus. "What are *nine* months in the life of a law? It shows no more what a law is, than an infant nine months old, shows what kind of a man he will make." Is this true? Is it such a response as ought to come from a "watchman?"



What *does* the application of the Law *nine* months show ? That, so far as it is tested, it works well ; it promises glorious results ; it has made friends of many who were at first its enemies. Hence, the most prudent and becoming language to proceed from a "watchman" in Zion—one who prays that the souls of 30,000 drunkards may not perish in our land annually—would be, "the operation of this Law thus far promises well ; it seems to be the best legislation on record to diminish intemperance ; God grant that it may be perpetuated as begun ; let it be proved that men have now hit upon the true expedient to battle with this monstrous evil." If a Law operates successfully *nine* months, it certainly is no evidence, that it will finally fail. It furnishes a degree of evidence that it will operate successfully still longer.

If Mr. Lovejoy were to preach from the words, "There is a lion without, I shall be slain in the streets," I have no doubt he would make it appear to be the language of the "slothful man," and rightly apply it in relation to all other moral enterprises. Why not make a similar application in regard to this subject ?

6. Four more errors. "*It will certainly be news throughout the civilized world, that a man may be imprisoned four months in Massachusetts, for making and selling the very article which Christ made and gave away at Galilee.*" Whatever this ambiguous sentence may mean, anti-temperance men, especially those who read the Lecture in dram-shops, will understand one meaning to be, that the adulterated wine of the present day is precisely like that which Christ made at Galilee. For the edification of those who thus understand it, we say, admitting that said wine of Galilee was *real* wine, containing an intoxicating element, it nevertheless differed materially from that which curses our land. Dr. Lee says, than whom no person is more competent to speak, "it is now pretty well understood that such a thing as the *pure juice of the grape* is unknown in this country,



and that a large proportion of the wines used in the United States are entirely factitious." According to his testimony, such articles as the following are made ingredients in the manufacture of wines; sandars wood, spirits of wine, alum, lead, arsenic, gypsum, slacked lime, sulphuric acid, and many others. An old song runs thus,

" One glass of drink I got by chance,  
'Twas claret when it was in France,  
But now from it moche wider.  
I think a man might make as good,  
With green crabbes, boiled in Brazil wood,  
And half a pint of cider."

If Christ manufactured this "*very article*" at Galilee, then may cavillers, at least, have some occasion to say, "Preach us *another* Christ."

"*Why this wanton waste?*" Mr. Lovejoy inquires in relation to the destruction of liquors seized by law. "Wanton waste!" is it? Here is a man who is fast wasting his property and life, entailing misery upon his family, and destroying his soul. If, from this hour every drop of rum he buys is destroyed, his farm is saved from ruin, his family is made comparatively rich in happiness, his morals are uncorrupted, and possibly his soul delivered from the second death. Is this "wanton waste"? Is it not great gain in property, morals, health and happiness, temporal and eternal?

Here is a man doling out intoxicating drinks, receiving men's farms and furniture for rum, and causing two-thirds of all the crime and pauperism in town, not to speak of the misery which he spreads far and wide. Empty all his barrels into the street, and put an end to this crime and destitution, and is it a "wanton waste?" Is it not great gain? If it costs this State \$260,000 annually to support the paupers of intemperance, would it not be gain to destroy \$200,000 worth of liquor yearly, in order to save the \$260,000? We make in the enterprise \$60,000, to say nothing of the advance of intelligence and morals.



"*Have you a right,*" says Mr. Lovejoy, "*to change by coercive measures the habits and usages of one-half the people of this Commonwealth?*" Certainly we have. Such is the democratic character of our government. A majority of legal voters can make this change, provided they do not infringe upon Constitutional rights; and the best legal authorities have decided that the Maine Law does not make infractions upon such rights. Suppose from the infancy of this Commonwealth one-half the people, in their habits, customs and sympathies, had been identified with Slavery, would not a bare majority of the people now have the right, not only to change, but to annihilate that institution, with all its usages, provided they sustain the Constitution? If the "habits and usages" of one-half the people of the State were linked with bowling alleys and brothels, we think the other portion, with only the majority of one, would have a right to change them "by coercive measures."

Against this temperance agitation Mr. Lovejoy says, "*Society asks repose and reflection.*" And this is the very thing for which we are aiming. Turn to that scene recently enacted in the Tremont House. Rich young men riot like fiends from below. They lose all respect for God and man. They dash decanters and rave like madmen. They assail the police, and bid defiance to all the laws of Boston. This is a specimen of the disorder that reigns where rum is sold. Little time here "for repose and reflection!" To behold such an opportunity for social rest and personal meditation, go to Maine—to Portland for example. The dramshops all closed—no drunkards in the street—no rowdyism—house of correction empty—all is order and decency throughout the city—ugly fathers are made kind—prodigal sons return to their homes—wives and mothers are made happy. Oh, what happy families! How sweet the quiet and "*repose*" throughout the city! Then, too, what a season for "*reflection*!" The drunkard is clothed and in



his right mind, *reflecting* at home, blissful in the bosom of his family! Indeed he is in the house of God on the Sabbath, *reflecting*! Only give us the Maine Law, and we will have such a season for "*repose and reflection*" as we have scarcely dreamed of.

Such an effort as this of Mr. Lovejoy is to be deplored. It builds up the rummies in their opposition. It does them good to feel that an Orthodox minister is on their side. They will read his Lecture at their midnight orgies, as with new zest they go to their cups. The rumsellers could now hear him preach with glad hearts. They will seize upon this Lecture for defence, though it be a poor argument; for, like drowning men, they will catch at a *straw*.

We see not how the author can be happy in his effort. For the Church has struggled long and hard against this mammoth evil, intemperance. Many of her own number have fallen before it. Wise men, christians and statesmen, have long studied how to control it. They have devised this and that remedial plan, and failed. And now they believe they have found the long-sought remedy in the Maine Law. For *nine* months it has been successful, beyond the most sanguine expectations of its friends. It continues to be a great blessing. Judges deem it to be constitutional, and sustain it. Ministers write exultingly of its success. It harmonizes with the Law of God. It makes city and village more quiet, moral, and flourishing. It diminishes crime and want surprisingly. And yet, in the face of all, Mr. Lovejoy really joins hands with rumsellers in their efforts to crush the Law! O, "tell it not in Gath!"



